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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 FAYE GARCIA, individually, ) 2:24-cv-00229-ART-DJA  
 12 )  
 13 Plaintiff, )  
 14 vs. )  
 15 ALBERTSON'S LLC; DOES I through X; and )  
 16 ROE CORPORATIONS I through X, inclusive )  
 17 Defendants. )  
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**JOINT STIPULATED DISCOVERY**  
**PLAN AND SCHEDULING ORDER**  
**SPECIAL SCHEDULING REVIEW**  
**REQUESTED**

The parties to this action, Plaintiff FAYE GARCIA (“Plaintiff”) and Defendants ALBERTON'S LLC, (“Defendant”) (collectively, the “Parties”), by and through their respective counsel, having conducted a Rule 26(f) conference via telephone on March 4, 2024, hereby stipulate and request that the Court enter a stipulated discovery plan and scheduling order pursuant to the following terms:

1. **Discovery Cut-off date:** Defendant filed its Notice for Removal on February 2, 2024. The

2. Parties request that Discovery be completed by **September 30, 2024**; which is 240 days from the first appearance in this case. The Parties are requesting this discovery period due to the time necessary to obtain Plaintiff's medical records and billing, review the same, provide them to respective experts for written opinion, and then depositions to follow up on said opinion.

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1           2. **Deadline to Amend Pleadings and Add Parties:** The Parties shall have until **July 2, 2024**, to file any motion(s) to amend the pleadings or to add parties. This is 90 days before the Discovery cutoff date for filing such motions.

2           3. **Deadlines to Disclose Expert Witnesses:** The Parties have agreed to the standard deadline for expert disclosures of 60 days before the discovery cut-off date, which falls on **August 1, 2024**. The disclosure deadline for rebuttal experts is **September 2, 2024**.

3           4. **Deadline for Dispositive Motions:** The Parties have agreed to the standard deadline for dispositive motions of 30 days after the close of discovery deadline, which falls on **October 30, 2024**.

4           5. **Filing Pretrial Order:** The Parties have agreed to the standard deadline for the joint pretrial order of 30 days after the dispositive-motion deadline, which falls on **November 29, 2024**. To the extent dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after the decision on the dispositive motions or further court order. The Parties are to include their pretrial disclosures under FRCP 26(a)(3) with the joint pretrial order.

5           6. **Alternative Dispute Resolution:** The Parties hereby certify that they met and conferred about the possibility of using alternative dispute-resolution processes.

6           7. **Alternative Forms of Case Disposition:** The Parties hereby certify that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and FRCP 73 and the use of the Short Trial Program (General Order 2013-01).

7           8. **Electronic Evidence:** The Parties certify that they discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. The Parties anticipate that they will have some evidence to present to the jury that exists in electronic format.

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1           9. **Discovery Plan:** The Parties do not have any proposed changes in timing, form, or  
2           requirement for Rule 26(a) disclosures. Plaintiff and Defendants will serve their initial  
3           disclosures by March 18, 2024. .

4           10. **Extension of Scheduled Deadlines:** According to LR 26-3, a motion or stipulation to  
5           extend any date set by this Discovery Plan and Scheduling Order must comply with LR IA  
6           6-1 and be supported by a showing of good cause for the extension. Such a motion or  
7           stipulation to extend must be received by the court no later than 21 days prior to the  
8           deadline(s) being extended. Any request made within 21 days of the deadline(s) being  
9           extended must be supported by a showing of good cause, and any request made after the  
10           deadline(s) in question will not be granted absent a showing from the movant of excusable  
11           neglect.

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14           DATED this 4<sup>th</sup> day of March, 2024.  
15           **GOLIGHTLY & VANNAH, PLLC**

16           By:    /s/    John B. Greene  
17           ROBERT D. VANNAH, ESQ.  
18           JOHN B. GREENE, ESQ.  
19           400 S. Seventh Street, 4<sup>th</sup> Floor  
20           Las Vegas, Nevada 89101  
21           *Attorneys for Plaintiff Garcia*

22  
23           DATED this 4<sup>th</sup> day of March, 2024.  
24           **BACKUS | BURDEN**

25           By:    /s/ Jack P. Burden  
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30           *Attorneys for Defendant Albertson's LLC*

31           **IT IS SO ORDERED.**

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